THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 23483 OF 2003

Dated 25th July 2007

Between:

Ch.Vishwanath S/o.Kaniram

…Petitioner

and

The Govt.of A.P. rep.by its Secretary,
Panchayat Raj Department, Secretariat,
Hyderabad & another.

…Respondents

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WRIT PETITION No. 23483 OF 2003

O R D E R:

The petitioner was elected as Upa-Sarpanch of Kubeer Gram Panchayat of Adilabad District, in the elections conducted in the month of September 2001. A motion of no confidence was initiated against the petitioner. The Revenue Divisional Officer, Nirmal, the 2nd respondent herein, issued notice dated 23.10.2003, in Form-IV, under Section 245(2) of the A.P. Panchayat Raj Act (for short "the Act"). It was proposed to hold a meeting of the Grampanchayat on 7.11.2003, to consider the motion of no confidence, against the petitioner. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and learned Government Pleader for Panchayat Raj.

It is contended that the impugned notice does not conform to the

provisions of the Act and the Rules made thereunder, particularly, in the context of the time gap between the date of service of notice and the date of proposed meeting.

While admitting the writ petition, this court permitted the meeting to go on, but directed that the results thereof, shall not be given effect to.

Admittedly, the term, for which the petitioner was elected as Upa-Sarpanch, was expired. Even assuming that the no confidence motion moved against the petitioner was carried through, it has become infructuous, on account of the expiry of the term.

Hence, the writ petition is closed, as infructuous. There shall be no order as to costs.

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25th July 2007

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